

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

RICHARD J. HUMPAL et al.,

Plaintiffs,

Case No. 1:11-cv-936

v.

HON. JANET T. NEFF

OCWEN LOAN SERVICES, LLC et al.,

Defendants.

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**ORDER**

This is a civil rights action, which was removed from the Circuit Court of Kent County, 17th Circuit Court, State of Michigan, pursuant to 28 U.S.C. § 1441. Defendants Ocwen Loan Servicing, LLC and Mortgage Electronic Registration Systems, Inc. filed a motion to dismiss (Dkt 6). On October 4, 2011, Defendant Kent County filed its Concurrence in Defendants' Ocwen and MERS Motion to Dismiss (Dkt 14). The matter was referred to the Magistrate Judge, who issued a Report and Recommendation on January 31, 2012, recommending that this Court grant Defendants Ocwen Loan Servicing, LLC, Mortgage Electronic Registration Systems, Inc. and Kent County's motion to dismiss. The Magistrate Judge also recommended that Plaintiffs' claims against Defendants William C. Erbey and Deutsche Bank National Trust Company, and the five hundred John Doe and Jane Doe defendants be dismissed without prejudice for failure to timely effect service, and Plaintiffs' action be dismissed. The Report and Recommendation was duly served on the parties. No objections have been filed. *See* 28 U.S.C. § 636(b)(1). Therefore,

**IT IS HEREBY ORDERED** that the Report and Recommendation (Dkt 25) is APPROVED and ADOPTED as the Opinion of the Court.

**IT IS FURTHER ORDERED** that Defendants Ocwen Loan Servicing, LLC and Mortgage Electronic Registration Systems, Inc.'s Motion to Dismiss (Dkt 6) is GRANTED for the reasons stated in the Report and Recommendation.

**IT IS FURTHER ORDERED** that Defendant Kent County's Motion to Dismiss (Dkt 14) is GRANTED for the reasons stated in the Report and Recommendation.

**IT IS FURTHER ORDERED** that Plaintiffs' claims against Defendants William C. Erbey and Deutsche Bank National Trust Company, and the five hundred John Doe and Jane Doe defendants are DISMISSED WITHOUT PREJUDICE for failure to timely effect service.

A Judgment will be entered consistent with this Order.

Date: February 21, 2012

/s/ Janet T. Neff

JANET T. NEFF

United States District Judge